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10/710,055	06/15/2004	SCOTT HEIFERMAN	A8601	4054
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SUGHRUE MION, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037				
EXAMINER				
OUELLETTE, JONATHAN P				
ART UNIT		PAPER NUMBER		
3629				
NOTIFICATION DATE		DELIVERY MODE		
12/09/2009		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@sughrue.com  
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USPatDocketing@sughrue.com

# Office Action Summary

**Application No.**

10/710,055

**Applicant(s)**

HEIFERMAN ET AL.

**Examiner**

Jonathan Ouellette

**Art Unit**

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 August 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Wilson et al. (US 7,532,900 B2).**
3. As per **independent Claim 1**, Wilson discloses a computer-assisted method for organizing in-person gatherings of top-related interest, comprising: receiving a user selection of a topic from a plurality of predefined topics (C15-C16, List Builder based on user profile interests, POI, or locations); receiving a user indication of a geographic locale; providing an indication, of one chapter of a plurality of chapters, based on the topic and the geographic locale (C15-C16, Chapter equivalent to individuals with similar hobbies/interests), wherein the chapters have respective members; and automatically scheduling an in-person gathering for the chapter at one venue of a plurality of venues associated with the locale (C15-C16, Event scheduled for individuals with similar interests based on geographic locale).

4. As per Claim 2, Wilson discloses wherein the scheduling of the in-person gathering comprises selecting the venue based on a characteristic of the topic (C15-C16, Venue/Place based on interest – Golf Course).
5. As per Claim 3, Wilson discloses wherein the scheduling of the in-person gathering comprises selecting the venue based on an input from a member of the chapter (C12-C13, Place/venue determined by User).
6. As per Claim 4, Wilson discloses wherein the input comprises votes from ones of the respective members of the chapter indicated as planning to attend the in-person gathering, and selecting of the venue is based on a majority of votes (C14, Coordinating venue based on multiple user data).
7. As per Claim 5, Wilson discloses when the number of votes from the ones of the respective members of the chapter indicated as planning to attend the gathering exceeds a venue attendance threshold, more than one venue for the gathering is automatically selected (C13-C14 – RSVP information received and incorporated into system decisions).
8. As per Claim 6, Wilson discloses wherein the input comprises a venue indication from an organizing member of the respective members of the chapter (C12-C13, Place/venue determined by User).
9. As per Claim 7, Wilson discloses receiving attendance plan indications, from ones of the respective members of the chapter, indicating a plan to attend the in-person gathering (C13-C14 – RSVP information).
10. As per Claim 8, Wilson discloses automatically cancelling the in-person gathering when the number of received attendance plan indications does not exceed a predetermined

attendance threshold (C13-C14 – RSVP information received and incorporated into system decisions – no responses to invitation).

11. As per Claim 9, Wilson discloses wherein the predetermined attendance threshold is set by an organizing member of the respective members of the chapter (C13-C14 – User could decide how to proceed based on RSVP information – User can cancel invite at any time).
12. As per Claim 10, Wilson discloses sending a reminder to the respective members of the chapter after the scheduling of the in-person gathering and before the in-person gathering (C13-C14).
13. As per Claim 11, Wilson discloses wherein the reminder is sent only to ones of the respective members of the chapter indicated as planning to attend the in-person gathering (C13-C14).
14. As per Claim 12, Wilson discloses sending a feedback request, related to the in-person gathering, to the respective members of the chapter indicated before the in-person gathering as planning to attend, after the in-person gathering (C13-C15 and C21-C22 – Friend request information based on meetings).
15. As per Claim 13, Wilson discloses wherein the feedback request is adapted to obtain quantitative information regarding an actual number of attendees of the in-person gathering (C13-C14, RSVP information).
16. As per Claim 14, Wilson discloses wherein the feedback request is adapted to obtain qualitative information regarding the in-person gathering (C13-C15 and C21-C22 – Friend request information based on meetings).

17. As per Claim 15, Wilson discloses providing a user with a capability to search the plurality of predetermined topics using a keyword (C13-C16).
18. As per Claim 16, Wilson discloses providing a user with a capability to display the plurality of predetermined topics in a hierarchical manner (C13-C16).
19. As per Claim 17, Wilson discloses wherein the indication of the chapter is provided to a user in response to the user selection of the topic and the user indication of the geographic locale (C13-C16).
20. As per Claim 18, Wilson discloses wherein the user receiving the indication of the chapter is indicated as one of the respective members of the chapter (C13-C16).
21. As per Claim 19, Wilson discloses wherein, for ones of the plurality of predetermined topics having a plurality of associated ones of the plurality of chapters, the automatic scheduling of respective in-person gatherings for associated ones the plurality of chapters is performed so each of the respective in-person gatherings has an identical calendar date (C13-C16).
22. As per Claim 20, Wilson discloses wherein each of the respective in-person gatherings has an identical time (C13-C16).
23. As per Claim 21, Wilson discloses wherein the automatic scheduling of the in-person gathering is performed on a periodic basis (C13-C16).
24. As per Claim 22, Wilson discloses wherein the plurality of venues is a predetermined plurality of venues (C13-C16 – List Builder based on Profile Data).
25. As per Claim 23, Wilson discloses wherein, when no chapter corresponding to the topic exists in the geographic locale, an organizer volunteer indication of a user, with respect to

organizing a new chapter corresponding to the topic in the geographic locale, is accepted (C13-C16, Profile information saved for later searches by additional searchers).

26. As per Claim 24, Wilson discloses wherein the providing of the indication of the chapter comprises: providing the indication of an existing one of the chapters based on the topic and the geographic locale, and when no existing chapter can be identified, automatically creating a new chapter relating to the topic and the geographic locale and providing the indication with respect to the new chapter (C13-C16, Profile information saved for later searches by additional searchers).
27. As per Claim 25, Wilson discloses accepting a request to automatically send a user a notification of the creation of a new chapter relating to the geographic locale and the topic (C13-C16).
28. As per Claim 26, Wilson discloses wherein the user indication of the geographic locale comprises one of a postal code and a city name (C13-C16 and C26-C27).
29. As per Claim 27, Wilson discloses wherein the user indication of a geographic locale comprises latitude and longitude related information (C13-C16 and C26-C27, GPS coordinates).
30. As per Claim 28, Wilson discloses wherein the providing of the indication of the one chapter is performed by a calculation involving the latitude and the longitude related information (C26-C27).
31. As per Claim 29, Wilson discloses receiving an indication from one member of the respective members of the chapter that the one member is a hosting member for the in-person gathering (C13-C16 – Initiating User).

***Claim Rejections - 35 USC § 103***

32. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**33. Claims 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson in view of Official Notice.**

34. As per Claims 30-32, While Wilson does disclose a computer-assisted method for organizing in-person gatherings of top-related interest as described in Claims 1-29 of the instant invention (see rejection above), Wilson fails to expressly disclose automatically generating for the hosting member one of a sign, a banner, and a nametag for the in-person gathering.

35. However, Official notice is taken that word processing / graphic related software for developing and printing signs, banners, and name tags was well known and widely used at the time the invention was made – in particular for instances involving meetings and gatherings.

36. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the generation of a sign, a banner, and a nametag for the in-person gathering, in the system disclosed by Wilson, for the advantage of providing a method of organizing in-person gatherings, with the ability to increase the



possibility of a successful meeting by providing visual aids to help facilitate the meeting (See KSR [127 S Ct. at 1739] “The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.”).

***Response to Arguments***

37. Applicant's arguments filed on 8/27/2009, with respect to Claims 1-32, have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

38. Additional Literature has been referenced on the attached PTO-892 form, and the Examiner suggests the applicant review these documents before submitting any amendments.
39. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
40. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.
41. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is

(571) 272-4000. Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

December 7, 2009

/Jonathan Ouellette/

Primary Examiner, Art Unit 3629